

**Report to the Presbytery of Grand Canyon**  
**September 17, 2004**  
**Payson, Arizona**  
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Differences abound within our denomination and within our presbytery concerning interpretations of biblical texts, doctrinal positions, specific demands of the gospel, mission priorities, ordination standards, etc. Divergent beliefs and practices pertaining to sexuality are particularly prominent these days. My report this afternoon will address a particular dimension of sexual behavior, but it is one about which virtually everyone in the PC(USA) agrees.

Conservatives, liberals, moderates, evangelicals, progressives, Confessing Church folk, and More Light Presbyterians all stand united against pedophilia. When it comes to the subject of adults having sex with children, the PC(USA) speaks with one voice of disapproval.

This is not to claim that none of our members or clergy has ever engaged in such behavior. Sadly, we know that over the years some pastors and youth workers have molested children. But no constituency in our denomination approves or defends such activity.

Where we do run into differences of opinion, however, is how best to respond to allegations of sexual or other abuse of a minor. Should governing bodies deal with such allegations completely in house, following the principles of church discipline? Must confidentiality be maintained at all times? Or should all allegations be reported to secular authorities? Or some combination of these depending on circumstances?

The State of Arizona has answered one of these questions with Arizona Revised Statute 13-3620, effective September 2003. This is the mandatory reporting law. Before I get into the details of that law, and who is required to report what, I want to say a few words about child abuse in general. Though sexual exploitation of a child is a terrible thing, there are many other ways that children suffer at the hands of adults. State law recognizes physical abuse, sexual abuse, and neglect as crimes.

According to Ann Wolbert Burgess, an expert in the field from Boston University, the good news is that the rate of victimization of children in this country is on the decline. Society is paying more attention to this long hidden problem. But as current news reports make clear, it still happens far too often. Fifty-two percent of the victims of child abuse are girls. You can do the math to figure what percent are boys. Various forms of neglect account for sixty percent of the cases. Twenty percent of child victimization is physical abuse, and ten percent is sexual in nature. Emotional abuse accounts for seven percent.

Considering all types of child abuse, forty percent of the perpetrators are the mothers of the victims, nineteen percent are the fathers, and eighteen percent involve both parents. Thus, more than three-quarters of abuse cases involve the victims' parents. Five percent involve a mother and her lover and one percent a father and his lover. In only thirteen percent of the cases is the abuser not related in a parental or custodial way to the victim.

With regard to sexual abuse, one third of victims are children or stepchildren of the molester. Half of known molesters are friends or relatives of their victims. Only one out of seven cases involves pedophile abuse by a stranger. In church settings we are apt to see the congregation as one big happy family and focus our suspicious attentions on bad people outside the family. What we all need to remember is that most of the damage done to children happens within the family. And in the context of the church, that includes victimization by pastors and other servants of the

church. So pastors, educators, youth workers, Sunday school teachers and others need to be alert for signs of possible abuse that may originate with parents or their own colleagues on church staffs.

Now onto the matter of mandatory reporting. Arizona Revised Statute 13-3620 makes all pastors, other church employees, and all church volunteers who have responsibility for the care of children mandatory reporters of abuse. This means that they are legally required to report any information about physical or sexual abuse or neglect of a minor either to Child Protective Services or to local police. This requirement applies if there is reasonable belief that abuse has occurred.

Now listen carefully to my next statement. Failure to report abuse or suspected abuse is a crime. And for mandatory reporters – clergy and church employees and volunteers who work with children – this extends to any situation at any time, and not only to information gained in the course of church activities.

If you're a Sunday school teacher, and one of your students sees you at the mall on Friday and tells you her mother beat her, you must report it. If you're a pastor, you're on duty as a mandatory reporter twenty-four hours a day, seven days a week.

Inevitably, when this subject is discussed, someone wants to know about false accusations. These happen from time to time, and the law takes this into account. Mandatory reporters are immune from civil or criminal liability for reporting suspected abuse, with two exceptions. Immunity does not apply if the report is made maliciously, for example, if the person reporting made it up to get back at someone. And it does not apply if the one making the report is the abuser. Of course, if someone required by law to report abuse is an abuser, that person has far more serious legal problems to face than the mandatory reporting law.

Remember, it is not your job as a pastor or other church worker to investigate the alleged abuse before reporting it. It's not your job to ascertain the child's veracity or to alert the alleged perpetrator about an allegation. Your job, according to Arizona law, is to call CPS or the police. It's their job to determine whether abuse has actually occurred. Clergy may be exempted from testifying in court in certain circumstances, but remember that our denomination does not have a sacramental understanding of confession.

The law requires that reports be made immediately by phone or in person, to be followed by a written report within seventy-two hours. When calling Child Protective Services, always ask for a CPS referral number, and when calling local police, ask for a DR number. So, how do you know which agency to call – CPS or police? Here's the answer. If the suspected abuser does *not* have custody of the child, call the police. If the child is in the care of the suspected abuser, you may call either CPS or local police, whichever is easier to reach.

Write this down. The statewide Child Abuse Hotline number is: 1-888-767-2445. When in doubt, call that number.

A copy of the Arizona Revised Statute will be distributed at the conclusion of this report, and I have included the abuse hotline number on the last page of the statute. I've also included a copy of a brochure published by the Roman Catholic Diocese of Phoenix. This contains information on how to contact the Diocese Office of Child and Youth Protection. Jenny O'Connor, who directs that program, has told me they are open to providing guidance and care for victims of clergy sexual abuse regardless of denomination. If you become aware of a situation where a victim of abuse by a Presbyterian pastor wants confidential help outside our own Presbyterian channels, Jenny would be a fine resource. I also commend to you the sexual conduct policy of First Presbyterian Church of Mesa, which incorporates the new state reporting requirements.

This is a painful subject to talk about. I wish we lived in a world where child abuse never happened. But we don't. We live in a broken world. And the victims as well as perpetrators of child

abuse that we who are gathered in this sanctuary are most likely to come in contact with are members and leaders of our own congregations.

Friends, the extensive biblical witness against injustice calls us to work in defense of the defenseless. And our Reformed Tradition tells us to act as good citizens, cooperating with the secular government as it seeks to protect the vulnerable among us.

I pray that when we, as Presbyterians and as citizens of Arizona, are called upon to do our duty on behalf of suffering and victimized children, we will all do so without hesitation.

Thank you for listening.